

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**RETRACTABLE TECHNOLOGIES INC., §  
and THOMAS J. SHAW, §**

**Plaintiffs, §**

**v. §**

**BECTON, DICKINSON AND COMPANY, §**

**Defendant. §**

**CIVIL ACTION NO. 2:07-CV-250 DF**

**VERDICT FORM**

You, the jury, are to answer the following interrogatories based on the evidence admitted at trial and according to the instructions the Court has given you. Start with Interrogatory No. 1 and proceed through the interrogatories. As you proceed through this verdict form, follow the directions provided.

**Interrogatory No. 1**

Has RTI proven by a preponderance of the evidence that BD's accused devices infringe any of the following claims of the asserted patents? Answer "yes" or "no" as to each claim in the spaces provided:

Integra 1 mL Syringe

'224 Patent, Claim 43 yes

'733 Patent, Claim 1 yes

'224 Patent, Claim 55 yes

'733 Patent, Claim 24 yes

'224 Patent, Claim 60 yes

Integra 3 mL Syringe

'224 Patent, Claim 43 yes

'077 Patent, Claim 10 no

'224 Patent, Claim 55 yes

'077 Patent, Claim 25 yes

'224 Patent, Claim 60 yes

'224 Patent, Claim 61 yes

**Interrogatory No. 2**

If you have found that any of BD's accused devices infringe any of the asserted claims of the '733 Patent or the '077 Patent, please determine whether such infringement was willful by answering this interrogatory. If you have not found that any of BD's accused devices infringe any of the claims of these patents, skip this interrogatory and proceed to Interrogatory No. 3.

Has RTI proven by clear and convincing evidence that BD's infringement, if any, of any of the claims at issue of the '733 Patent or the '077 Patent was willful? Answer "yes" or "no" as to each claim in the spaces provided below.

**Integra 1 mL Syringe**

'733 Patent, Claim 1 NO

'733 Patent, Claim 24 NO

**Integra 3 mL Syringe**

'077 Patent, Claim 10 NO

'077 Patent, Claim 25 NO

**Interrogatory No. 3**

Has BD proven by clear and convincing evidence that any of the following claims of the '077 Patent or the '224 Patent are invalid by anticipation? Answer "yes" or "no" as to each claim in the spaces provided below. Answer for all claims regardless of whether you have found those claims were infringed.

'224 Patent, Claim 43 NO

'077 Patent, Claim 10 NO

'224 Patent, Claim 55 NO

'077 Patent, Claim 25 NO

'224 Patent, Claim 60 NO

'224 Patent, Claim 61 NO

**Interrogatory No. 4**

Has BD proven by clear and convincing evidence that any of the following claims of the '077 Patent or the '224 Patent are invalid due to obviousness? Answer "yes" or "no" as to each claim in the spaces provided below. Answer for all claims regardless of whether you have found those claims were infringed.

'224 Patent, Claim 43 NO

'077 Patent, Claim 10 NO

'224 Patent, Claim 55 NO

'077 Patent, Claim 25 NO

'224 Patent, Claim 60 NO

'224 Patent, Claim 61 NO

**Interrogatory No. 5**

Has BD proven by clear and convincing evidence that any of the following claims of the '733 Patent, the '077 Patent, or the '224 Patent are invalid due to failure to provide an adequate written description? Answer "yes" or "no" as to each claim in the spaces provided below.

Answer for all claims regardless of whether you have found those claims were infringed.

'733 Patent, Claim 1 NO                      '224 Patent, Claim 43 NO

'733 Patent, Claim 24 NO                      '224 Patent, Claim 55 NO

'077 Patent, Claim 10 NO                      '224 Patent, Claim 60 NO

'077 Patent, Claim 25 NO                      '224 Patent, Claim 61 NO

**Interrogatory No. 6**

If you have found that any of BD's accused devices infringe any of the asserted claims of any of the '733 Patent, the '077 Patent, or the '224 Patent, then even if you have answered "yes" to any portion of Interrogatory Nos. 3 through 5, please determine the amount of reasonable royalty damages that would fairly and adequately compensate RTI for infringement:

Answer in dollars and cents: \$ 5,000,000

The foreperson must sign and date this verdict form: